

ORIGINAL

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

ELAINE L. CHAO,
United States Department of Labor,

Plaintiff,

v.

INTERNATIONAL ASSOCIATION
OF MACHINISTS,
DISTRICT LODGE 143

Defendant.

CIVIL ACTION NO.
03-867 JMR/FLN

**STIPULATION OF
SETTLEMENT
AND ORDER**

The subject action was initiated as a result of Plaintiff's investigation of the August, 2002, election of officers of the Defendant, International Association of Machinists, District Lodge 143, under Title IV of the Labor-Management Reporting and Disclosure Act of 1959, hereinafter referred to as the Act (29 U.S.C. 481 et seq.).

The parties, through their undersigned counsel, hereby stipulate and agree to the settlement of this action in accordance with the terms and conditions set forth below:

1. On January 16, 2003, Plaintiff filed a complaint pursuant to Title IV of the Act seeking an order declaring Defendant's August 13, 2002, election for all offices that were elected in the biennial election run on that date, null and void and directing the Defendant to conduct a new election for those offices under Plaintiff's supervision.¹

2. The parties hereby agree that a new election for the aforementioned offices shall be conducted under the supervision of the Plaintiff on May 30, 2003. This election shall be

¹ The offices are: President/Directing General Chair, Secretary-Treasurer, Trustee, Vice President (NWA) South, and General Chair (6 positions)

FILED 5-1-03
RICHARD D. SLETTEN, CLERK
JUDGMENT ENTERED
DEPUTY CLERK

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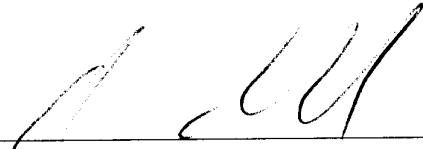
1 conducted in accordance with Title IV of the Act (29 U.S.C. Sec. 481 et seq.), and, insofar as
 2 lawful and practicable, in accordance with the Constitution of the International Association of
 3 Machinists (hereinafter, the "International") and the bylaws of District Lodge 143 (hereinafter the
 4 "District Lodge").

5 3. All decisions as to the interpretation or application of Title IV of the Act and the
 6 Constitution of the International and the by-laws of the District Lodge relating to the supervised
 7 election, and nominations are to be determined by the Plaintiff, and her decisions shall be final.

8 4. This Court shall retain jurisdiction of this action to and until December 31, 2003, Jan. 1/5/03 and after completion of the
 9 election, Plaintiff shall certify to the Court the names of the persons elected to each office, and
 10 that the election was conducted in accordance with Title IV of the Act and, insofar as lawful and
 11 practicable, in accordance with the provisions of the Constitution of the International and the by-
 12 laws of the District Lodge. The duly certified elected officers shall the serve for the remainder of
 13 the terms of office to which they would have been elected had this election taken place on August
 14 13, 2002, in accordance with the Constitution of the International and the by-laws of the District
 15 Lodge. Upon approval of such certification, the Court shall enter an Order declaring that such
 16 persons have been elected as shown by such certification.
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18 Each party hereby agrees to bear its own fees and other expenses incurred by such party in
 19 connection with any stage of this proceeding to date.
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1 Dated this 17th day of April 2003.

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16 **Attorneys for District Lodge 143, IAM**

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18 

19 ROBERT DE PACE
20 President/Directing General Chair
21 District Lodge 143, IAM

22 Dated this 21 day of April, 2003.

23 THOMAS B. HEFFELFINGER
24 United States Attorney

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3 RICHARD J. FIORE
4 Regional Solicitor

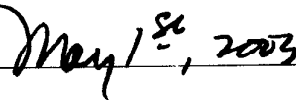
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LEONARD A. GROSSMAN

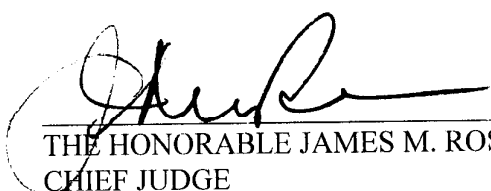
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17 **Secretary of Labor**
18 **United States Department of**
19 **Labor, Plaintiff**

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BY THE COURT:

Date:




THE HONORABLE JAMES M. ROSENBAUM
CHIEF JUDGE
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA